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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/098,279	06/16/1998	C. DOUGLASS THOMAS	ATC97-1	3931

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EXAMINER

VO, TUNG T

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 11/05/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/098,279

Applicant(s)

THOMAS ET AL.

Examiner

Tung T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,7-9 and 11-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7-9 and 11-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1, 2, 4, 5, 7-9, 11-18 in Paper No. 22 is acknowledged.
2. Claims 26-31, 39-44, 47-18, 49-50, and 52-66 need to be withdrawn from further consideration as being drawn to non-elected claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-5, 7-9, 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng (US 5,731,832) in view of Goldberg (US 6,526,158 B1).

Re claim 1, Ng teaches a surveillance method for operating a general purpose computer to provide remote surveillance of an internal area of a building, comprising:

receiving a surveillance image from a local camera directed at the internal area of the building (col. 3, lines 34-49; e.g. a camera (14 of fig. 1) captures an image (16 of fig. 1) and then provides to a processor (12 of fig. 1) for processing);

comparing the surveillance image with a reference image to produce a comparison result (col. 6, lines 18-28, the difference logic circuit (68 of fig. 1) of the

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image processor (60 of fig. 3) is capable of comparing a current image with the reference image to provide the comparison result);

detecting presence of an activity condition based on the comparison result (col. 6, lines 29-47; a detector (74 of fig. 3) is operable of detecting motion that occurred (present) in the current image);

notifying an interested user of the activity condition when the presence of the activity condition is detected (col. 6, lines 40-47, e.g. the detector (70 of fig. 6 outputs signals (notification) to activate alarms, contact a security service, or perform other functions in response to detection of motion in the image), wherein said notifying includes at least transmitting the surveillance image to a remote computer over a global computer network automatically when the activity condition is detected (col. 4, lines 39-57; e.g. the motion detection automatically contacts the local police department, security service, or particularly employees or managers),

and wherein said transmitting includes forming an electronic mail message (col. 49-51, other message would be an electronic mail message being transmitted over the network (30 of fig. 1) using a telephone line and/or modem, the modem is used to access Internet, network, LAN, WAN) having a predetermined mailing address (col. 4, lines 43-49, e.g. the police department, security service, particular individuals, or organizations are considered as the predetermined mailing address) the predetermined mailing address being associated with the interested user (security person, police officer, employee, or manager) , and electronically mailing the surveillance image to the remote computer over the network using the electronic mail message (28 of fig. 1, .e.g. the modem (28) can

transmit the image to the remote location over the communication medium (30 of fig. 1) when the motion detection occurred).

Re claim 2, Ng teaches wherein said detecting of the presence of the activity condition comprises: comparing the comparison result with a predetermined threshold (102 of fig. 4B); detecting the presence of the activity condition when the comparison result exceeds the predetermined threshold (104 of fig. 4B); and detecting the lack of presence of the activity condition when the comparison result does not exceed the predetermined threshold (106, 108 of fig. 4B).

Re claim 7, Ng further teaches wherein said notifying further comprises the step of providing a distinctive audio or visual indication on the remote computer to notify the interested user of the receipt of the activity condition after the electronically mailed surveillance image arrives at the remote computer (col. 4, lines 30-38).

Re claim 8, a system for providing remote visual monitoring of a location, said system comprising:

- a camera for obtaining an image of the location (14 of fig. 1);
- a remote computer having a display device capable of viewing images, said remote computer being remote from the location (col. 4, lines 52-57, the police department must have a computer device to view the image transmitted from the image processor (12 of fig. 1);

a local general purpose computer operatively connected to said camera, said local general purpose computer operates to receive the image from the camera and to determine whether an activity condition is present (12 of fig. 1; and 60 of fig. 3),

wherein said local general purpose computer automatically forwards the image to said remote computer over a global computer network when the activity condition is present, and said local general purpose computer does not forward the image to said remote computer over the network when the activity condition is not present (see fig. 3),

and wherein when forwarding the image to said remote computer over the network, said local general purpose computer automatically creates an electronic mail message to a predetermined user associated with the remote computer, the electronic mail message having the image included or attached thereto, and then automatically sends the electronic mail message to said remote computer for the predetermined user (col. 4, lines 29-63).

Re claim 11, Ng further teaches wherein said remote computer obtains the image that has been transmitted and displays the image on the display device (col. 4, lines 50-57).

Re claim 12, Ng further teaches wherein said local general-purpose computer determines whether an activity condition is present based on the image (fig. 4B).

Re claim 13, wherein said system further comprises a motion detector (74 of fig. 3) for producing a motion indication signal (76 of fig. 3), and wherein said local general purpose computer receives the motion indication signal and determines whether an activity condition is present based on the motion indication signal.

Re claim 14, Ng further teaches wherein said motion detector and said camera is directed at the location from approximately the same direction (fig. 3, wherein the camera (62 of fig. 3) attached thereto with motion detection (74 of fig. 3).

Re claim 15, Ng further teaches wherein said motion detector is mounted on said camera (see also fig. 1, wherein the camera (14) mounted with the processor (12) that included the detector (74 of fig. 3).

Re claims 4-5, and 9, Ng further teaches wherein said transmitting operates to transmit the surveillance image over the Internet to the remote computer, and the police department (col. 4) that would have one of a personal computer and a network server (30 of fig. 1).

Re claims 16-18, Ng further teaches wherein the image and the alarm status information are displayed on a display device of said remote computer (col. 4), and wherein said security system detects an alarm condition, the activity condition is made to

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be present (70 and 74 of fig. 3); wherein said system further comprises a security system having at least one sensor (74 of fig. 3, e.g. where the detector (74) detects and generates an alarm condition and then outputs to the police department for viewing).

It is noted that Ng teaches the system using modem (28 of fig. 1) and network (30 of fig. 1) for transmitting audible alarm, visual alarm, a warning tone or other messages (text, data, image) in response to the detection of motion to the police department or security service (the predetermined address). The modem and network are used in the Ng's system suggests that the modem would be operable to access to the network and others such as Internet, web, web Brower, Internet provider, or WAN. However, Ng does not mention the network comprises Internet for transmitting an electronic mail message with the captured image included or attached thereto from the local location to the remote.

Goldberg teaches the image data is transferred to an Internet server (207 of fig. 13b) where it can be transmitted to the Internet address of the patron (43 of fig. 2) as an attachment to electronic mail (221 of fig. 13). Therefore, taking the combined teachings of Ng and Goldberg as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Goldberg into the system of Ng for the same purpose of transmitting the image from the local computer to the remote computer using the email attached thereto with the predetermined address. Doing so would provide the image with the text messages to the remote location for viewing in the real time so that a user can save time and reduce cost.

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baumgarten (US 5,940,229) discloses an image-reflecting device for use with a computer monitor.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung T. Vo whose telephone number is (703) 308-5874. The examiner can normally be reached on 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.


TUNG T. VO
PATENT EXAMINER

T.Vo

Tung T. Vo
Examiner
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